

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

Appvion, Inc. Retirement Savings and)
Employee Stock Ownership Plan, by and)
through Grant Lyon in his capacity as the ESOP)
Administrative Committee of Appvion, Inc.,)

Plaintiff,)

v.)

DOUGLAS P. BUTH, *et al.*,)

Defendants.)

Civil Action No.: 1:18-cv-01861-WCG

**UNOPPOSED JOINT REQUEST FOR ORAL ARGUMENT ON
DEFENDANTS' MOTIONS TO DISMISS**

Pursuant to Civil L. R. 7(e), Defendants Douglas P. Buth, Gayle Buth, Paul J. Karch, Ann Karch, Mark Richards, Jeanne Richards, Tom Ferree, Carol J. Ferree, Rick Fantini, Debra L. Fantini, Dale E. Parker, Debrah Parker, Angela Tyczkowski, Mark Tyczkowski, Kerry Arent, Timothy Arent, Kent Willetts, Andrea Willetts, Susan Scherbel, Thomas Scherbel, Ronald Pace, Teresa Pace, Stephen Carter, Lisa L. Carter, Kathi Seifert, Andrew Reardon, Michele Reardon, Terry Murphy, Mary E. Murphy, Mark Suwyn, Patricia Suwyn, Kevin Gilligan, Angela Gilligan, Louis A. Paone, Jane Doe Paone, Houlihan Lokey Capital, Inc., Houlihan Lokey Financial Advisors, Inc., State Street Bank and Trust Company, N.A., Kelly Driscoll, Sydney Marzeotti, Stephen Marzeotti, Argent Trust Company, N.A., Reliance Trust Company, Howard Kaplan, Wendy Kaplan, Stephen Martin, Jane Doe Martin, David Williams, Jane Doe Williams, Willamette Management Associates, Inc., Scott D. Levine, Debora Levine, Aziz El-Tahch, Ayelish M. McGarvey, Robert Socol, Lynn Socol, Stout Risius Ross, Inc., and Stout Risus Ross,

LLC (collectively, “Defendants”) hereby request oral argument on their respective Motions to Dismiss.

Defendants believe that the Court and the parties would benefit from oral argument on the motions to dismiss due to the fact that plaintiff asserts 19 counts against more than 50 defendants, as well as plaintiff’s tendency to group defendants and claims.

On July 24, 2019, defendants’ counsel consulted with plaintiff’s counsel regarding this request. Plaintiff does not oppose defendants’ request for oral argument.

Dated: July 26, 2019

Respectfully submitted,

By: /s/ J. Christian Nemeth

By: /s/ Kara Petteway Wheatley

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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July 2019, I caused a copy of the foregoing document to be filed via the Court's ECF system, which constitutes service upon all counsel of record.

/s/ Theodore Becker
Theodore Becker